

CONSTITUTION

OF

THE BUNDI STATE.



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Constitution of the Bundi State.

1. All rights, authority and jurisdiction are vested in, and exercisable by His Highness the Maharao Raja.

2. There shall be an Executive Council of Ministers, not exceeding five in number, one of whom shall be Dewan, appointed by His Highness to aid and advise him in exercise of his executive functions. His Highness will preside at meetings of the Council. In the absence of His Highness, the Dewan, or failing him the Senior Minister present, will preside.

3. The Executive Council shall exercise such rights, authority and jurisdiction as His Highness the Maharao Raja may decide to delegate to it.

4. The Ministers shall exercise individually such rights, authority and jurisdiction as His Highness may decide to delegate to them.

5. His Highness the Maharao Raja will make rules for the more convenient transaction of the business of the State, allocating the said business among the Ministers and defining their individual powers and the powers of the Council. All executive actions of the administration shall be expressed to be taken in the name of the Bundi Darbar, and all written communications, orders and other instruments issued, made or executed in the name of the Bundi Darbar shall be authenticated in such manner as may be specified in the rules.

6. There shall be a Judicial Committee to advise His Highness in the disposal of such civil and criminal appeals and revisional applications as may under the Law for the time being in force lie to His Highness from the decisions of the High Court and in other matters as His Highness may choose to refer to it for advice.

The constitution, powers and procedure of the Committee are reproduced in Appendix VI.

7. There shall be a High Court consisting of at least two Judges. The Chief Justice may be a part time Judge. This Court shall be the highest Court of appeal except for those cases where a right of appeal has been given to the Judicial Committee.

The Constitution of the High Court shall be subject to the rules as provided in Appendix VII.

8. There shall be a Board of Revenue composed of three members appointed by His Highness. See Appendix VIII.

9. There shall be an Advisory Committee containing a majority of non-officials constituted in such manner and possessing such powers as His Highness may decide. His Highness will make rules to govern the constitution and procedure of the Advisory Committee. See Appendix IX.

10. There shall be a Public Service Committee responsible for the appointment and promotion of State servants. The constitution, powers and procedure of the Committee are reproduced in Appendix X.

11. His Highness has powers to add, amend, delete, modify or supercede any of the rules of the constitution of the State.

Rules of Business.

(See Section 5 of the Constitution)

A. State Departments include:—

1. Privy Purse Department.
2. Mahakma Khas.
3. Political Department.
4. Finance Department.
5. Public Works Department.
6. Police & Military Department.
7. Motor Garage Department.
8. Farrash Khana Department.
9. Guest House Department.
10. Toshakhana Department.
11. Printing and Stationery Department.
12. Customs & Excise Department.
13. Forest Department.
14. Judicial Department.
15. Public Service Committee.
16. Education Department.
17. Medical Department.
18. Veterinary Department.
19. Jail Department.
20. Revenue Department.
21. Survey & Settlement Department.
22. Agricultural Department.
23. Court of Wards.
24. Charities & State Temples Department.
25. Home Department.
26. Shikarkhana Department.
27. State Post Offices.

B. Quasi-State Departments include:—

1. The Bundi City Municipality.
2. The Rural Municipalities.
3. The Webb Club.
4. The State Employees' Club.
5. The Motor Service.

3. A list of Heads of Department and of the subjects dealt with by each Department is given in Appendix I.

4. His Highness the Maharao Raja himself shall control the Privy Purse Department and the rules reproduced in Appendix II govern the conduct of business in that Department and its relations with the other State or Quasi-State Departments.

5. The Dewan shall be in charge of the (1) Mahakma Khas, (2) Political Department, (3) Finance Department, (4) Public Works Department, (5) Police & Military Department, (6) Motor Garage Department, (7) Farrash Khana Department, (8) Guest House Department, (9) Toshakhana Department, (10) Printing Press & Stationery Department, (11) Customs & Excise Department, (12) Forest Department, (13) Judicial Department, (14) Public Service Committee, (15) Shikarkhana Department, (16) State Post Offices; and any other departments which His Highness may from time to time entrust to his charge. The Dewan shall exercise general supervision and control over the other State or Quasi-State Departments, other than the Privy Purse Department.

6. The Dewan is empowered to pass, on behalf of His Highness, any order that His Highness the Maharao Raja could himself pass in respect of any matter arising in any department except the Privy Purse Department. It shall also be his duty to keep His Highness in touch with all important matters affecting the Administration and to obtain his views thereon, so far as it may be possible to do so, before final orders are passed.

7. The Dewan is authorised to act for His Highness during the absence of His Highness from the State, or when, owing to extreme urgency, such consultation is not possible for any reason, or on any account, which reason or account shall not be called in question.

8. The other Ministers are authorised to exercise the powers set forth in Appendix III, so far as concerns the departments under their immediate control, and may also, at their discretion, pass orders on behalf of His Highness on all matters arising in the departments under their control which are not of sufficient importance to require the orders of His Highness, or which do not, under Rules 11 and 12, require consideration by the Council as a whole.

9. In order that the duties allotted to the Dewan in Rule 6 may be properly performed, the other Ministers are held responsible for submitting to the Dewan any matter which is of sufficient importance to be brought to the notice of His Highness, or with regard to which they do not consider themselves competent to pass orders.

10. Any Minister (including the Dewan) may, at any time, circulate through Mahakma Khas any case, with a statement of his views, for the information or the opinion of the Council, and shall invariably consult the Minister in charge of any other department which is concerned with, or may be affected by, the orders which it is proposed to issue.

11. If a difference of opinion is disclosed as a result of such circulation or consultation and such difference of opinion cannot be settled forthwith by personal discussion between the Ministers concerned, the case, if the Dewan so directs, shall be circulated to the Members in Council and then discussed in Council.

12. Notwithstanding anything contained in Rules 10 and 11, and subject to the provisions of Rule 15, cases of the nature described in Appendix IV shall be circulated to the Members in Council and then discussed in Council. No decision shall be taken until such discussion has taken place.

13. Not less than three Ministers shall constitute a quorum of the Council. The decision shall be by a majority of the votes of those present, and, if the votes are equal, the presiding Officer (whether he be His Highness or the Dewan or the Senior Minister) shall have a casting vote. No quorum shall be necessary in case of a meeting adjourned for want of quorum.

14. No order on any matter discussed in Council shall be issued until the decision of Council has been confirmed by His Highness the Maharao Raja, or by the Dewan acting on behalf of His Highness.

15. In all cases which require discussion in Council under Rules 11 and 12, the Minister-in-charge shall record on the file his recommendation as to the action which in his opinion should be taken and the file, if it is not one arising in one of the Dewan's own departments, shall be sent to the Dewan under whose orders it will be circulated and to whom it will be returned immediately after circulation.

In directing the circulation of such cases the Dewan may request the other Ministers to express their opinions in writing, and in that case, if the opinions are unanimous, he may recommend to His Highness that discussion in Council may be dispensed with, but if any Minister requests that the case may still be discussed in Council, it shall be so discussed.

16. The Council will ordinarily meet once a month, and it will be the duty of the Dewan to ensure that a list of all cases due for discussion at the next meeting is submitted to His Highness in ample time before the meeting takes place. His Highness the Maharao Raja, or the Officer acting on behalf of His Highness, may summon an extra-ordinary meeting of Council at any time.

17. At any meeting of the Council His Highness the Maharao Raja, or any Minister with the permission of His Highness (or in the absence of His Highness, with the permission of the presiding Officer) may bring forward any urgent matter for informal

discussion without previous circulation, subject to the conditions that the observance of ordinary formalities will not meet the exigency and urgency of the matter, and the Council shall decide after such informal discussion whether the matter and the decision thereon shall be entered in the proceedings of the meeting.

18. The powers of the Heads of Departments are specified in Appendix V.

19. The Secretary, Mahakma Khas, or other Officer specified by name, may carry on routine correspondence on behalf of the Dewan.

20. Each Minister is in charge of the establishment of those sections of the Secretariat which deal with the business arising in the departments under his control. The Secretary is in charge of those sections which serve the needs of the Secretariat as a whole. He is also responsible for the circulation of files under rules 11 and 12, and for preparing the agenda and recording the proceedings of meetings of the Council.

21. Communications between the several Ministers and also between the Dewan and Heads of the Departments under his control will be carried on, so far as is possible, by unofficial reference on files and not by official or demi-official correspondence. When for any reason it is undesirable to send the whole file, a separate note may be sent, which should subsequently be brought on to the appropriate file together with the reply to it. Other Ministers are at liberty, if they so wish, and if it can be done without inconvenience or disclosing confidential information, to refer files unofficially to the Heads of Departments under their control, with a view to saving time and labour.

22. All written communications, orders or other instruments issued, made or executed in the name of the Bundi Darbar shall be authenticated either—

1. By the seal and signature of His Highness the Maharao Raja, or
2. By the seal of His Highness and the signature of the Private Secretary to His Highness, or
3. By the signature of the Dewan or of a Minister, or
4. By the signature of the Secretary, Mahakma Khas.

Appendix I.

LIST OF SUBJECTS DEALT WITH BY EACH DEPARTMENT.

A. State Departments-Arranged according to the portfolios.

Name of Department.	Head of Department.
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His Highness.

1. PRIVY PURSE DEPARTMENT.	Private Secretary.
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The personal, household, travelling
and Shikar expenses of His Highness.

Dewan.

2. MAHAKMA KHAS DEPARTMENT.	Secretary, Mahakma Khas.
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(a) General Records,
(b) Jawabi Daftari,
(c) Itihas Karyalay,
(d) Gazette,
(e) Benares Estate.

3. POLITICAL DEPARTMENT.	Do
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(a) Constitutional matters,
(b) Chamber of Princes,
(c) Miscellaneous matters not
under any other department.

4. FINANCE DEPARTMENT.	Accountant General.
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(a) Accounts,
(b) Treasuries,
(c) Pensions,
(d) Paltoo & Parwarish.

5. PUBLIC WORKS DEPARTMENT.	Executive Engineer.
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(a) Irrigation,
(b) Roads & Buildings.

6. POLICE & MILITARY DEPARTMENT.	Inspector General of Police.
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(a) Police,
(b) Palace Guards,
(c) Taragarh Fort,
(d) Risala (Body Guard),
(e) Criminal Tribe Settlement.

7. MOTOR GARAGE DEPARTMENT.	Private Secretary.
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Name of Department.	Head of Department.
8. FARRASH KHANA DEPARTMENT.	Private Secretary.
9. GUEST HOUSE DEPARTMENT.	Do
10. TOSHA KHANA DEPARTMENT.	Do
11. PRINTING & STATIONERY STORES.	Accountant General.
12. CUSTOMS & EXCISE DEPARTMENT. (a) Customs, (b) Excise, (c) Nazool Land, Bundi City.	Superintendent of Customs & Excise.
13. FOREST DEPARTMENT. (a) Protected Forests, (b) Quarries, (c) Gardens.	Superintendent Forest & Shikar Khana.
14. SHIKAR KHANA DEPARTMENT.	Do
15. JUDICIAL DEPARTMENT. (a) Civil & Criminal Courts, (b) Panchayats.	Chief Justice (with the exception of the Judicial Committee).
16. PUBLIC SERVICE COMMITTEE.	Secretary, Mahakma Khas.
17. STATE POST OFFICES.	Inspector General of Police.

General Minister.

18. EDUCATION DEPARTMENT. (a) State Schools, (b) Private Schools, (c) Boy-Scouts.	Director of Public Instruction.
19. MEDICAL DRPARTMENT. (a) Hospitals & Dispensaries.	Chief Medical Officer.
20. VETERINARY DEPARTMENT. (a) Veterinary Hospital & Dispensary.	Do
21. JAIL DEPARTMENT.	Do

Name of Department.	Head of Department.
Revenue Minister.	
22. REVENUE DEPARTMENT.	Revenue Commissioner.
(a) Land Revenue, (b) Nazool Land, Mofussil, (c) Jagirs, (d) Central Advisory Committee, (e) Tehsil Advisory Committees.	
23. COURT OF WARDS.	Do.
24. AGRICULTURAL DEPARTMENT.	Do.
25. SURVEY & SETTLEMENT DEPARTMENT.	Settlement Commissioner.
26. CHARITY & STATE TEMPLES.	Revenue Commissioner.
Home Minister.	
27. HOME DEPARTMENT.	Home Minister.
(a) Mardani Deodhi, (b) Rajlok-Ki-Deodhi, (c) Walterkrit Rajput Sabha, (d) Silah Khana, (e) Pheel Khana, (f) Saraswati Bhandar, (g) Nakkar Khana, (h) Baggi Khana, (i) Stables, (j) Palki Khana, (k) Chitra Khana.	
B. Quasi-State Departments.—Arranged according to portfolios.	
Dewan.	
1. BUNDI CITY MUNICIPALITY.	Chairman, Municipal Board.
2. WEBB CLUB.	Honorary Secretary.
3. STATE EMPLOYEES CLUB.	Do
4. MOTOR SERVICE.	Private Secretary.
Revenue Minister.	
5. RURAL MUNICIPALITIES.	Revenue Commissioner.

Appendix II.

PRIVY PURSE.

1. The Budget and revised Budget of the Privy Purse Department will be prepared annually in the usual manner and shall be arranged under the following sub-heads:—

1. Cash Appropriation— to cover private and personal expenditure of His Highness.
2. Furniture, linen, plate and crockery— to cover the purchase and repair of these requirements for the personal use of His Highness.
3. Stables— to cover the upkeep of personal horses, cows, dogs and other animals kept by His Highness.
4. Motors— to cover the purchase, repair and running expenses of the motor cars maintained by His Highness.
5. Kitchen & Household— to cover the household expenses of the kitchen of His Highness.
6. Medical— to cover medical expenses, including the cost of medicines and contingencies for the Dispensary of His Highness.
7. Establishments— to cover the cost of the establishment in the service of His Highness.
8. Travelling— to cover the cost of journeys other than official tours of His Highness.
9. Shikar— to cover the cost of guns, rifles, ammunition and the mounting of shikar trophies for His Highness or the officers of his staff.
10. Uniform— to cover the cost of the uniform required for the staff and establishment of His Highness.
11. Electricity— to cover the cost of electric current consumed by His Highness in the Palace.
12. Miscellaneous—to cover the cost of unqualified expenditure of His Highness.
13. Reserve Fund—to meet extraordinary expenses of His Highness.
2. Birthday Nazars of His Highness, and Nazars presented at private audience will be retained by His Highness. Other Nazars will be credited to the State Treasury.

3. The expenditure under the Privy Purse will not be subject to audit.

4. The total expenditure provided for in the annual budget of the Privy Purse should not be exceeded, but any amount that may not be spent will not be surrendered.

5. In order to ensure that funds in the Privy Purse are spent as economically as possible, His Highness will appoint the Private Secretary to be in charge of the budget, who will possess powers to incur or sanction expenditure or to disburse money, on the written authority of His Highness.

Appendix III.

POWERS OF MINISTERS OTHER THAN THE DEWAN.

PART 1.

1. So far as the personnel of the departments under their control are concerned, all Ministers shall have the power, subject to the rules and regulations of the State,

- (a) to reduce, transfer, dismiss or otherwise punish any individual whose pay does not exceed Rs. 60/- per mensem, provided that no single fine exceeding one month's pay may be imposed without reference to higher authority; and
- (b) to grant leave admissible under the rules to any individual except to Heads of Departments.

2. So far as the expenditure of the Departments under their control is concerned, and subject to the rules and regulations of the State, all Ministers shall have the power,

- (a) to sanction expenditure under any sub-head of the departmental budget, except the sub-head "Establishment", up to Rs. 500/-, at any one time, provided that budget provision is available;
- (b) to sanction the re-appropriation of funds from one sub-head of a departmental budget to another not exceeding Rs. 500/-, provided that no re-appropriation may be made from the sub-head "Establishment" to any other sub- head, or vice versa;
- (c) (i) to sign, without the necessity of countersignature by any other authority, any contingent bill for expenditure of any amount which has been previously sanctioned, or an estimate for which has been previously sanctioned, by competent authority, provided that the amount, or the estimate of the amount, has not been exceeded;
- (ii) to sign any contingent bill for expenditure which has not been previously sanctioned, or an estimate for which has not been previously sanctioned, by competent authority, provided that the amount of the bill does not exceed the amount they are empowered to sanction under (a) above;
- (d) to sign or countersign the T. A. bills of any officers or staff belonging to their departments except their own;

- (e) to sanction refunds of revenue not exceeding Rs. 150/-;
- (f) to sanction the sale of any unserviceable article, the estimated value of which does not exceed Rs. 150/-;
- (g) to write off any State demand not exceeding Rs. 150/-;
- (h) to sanction the disposal of unclaimed property without limit of value; and
- (i) to write off State property to the value of Rs. 150/-.

Special attention is invited to the following:--

- (1) Provision in the budget is not to be regarded as equivalent to sanction of expenditure up to the amount provided, except in the case of sub-head "Establishment".
- (2) It is a breach of the rules for any sanctioning authority to split up a charge for any work, supply or service simply for the purpose of bringing its component parts within his own powers of sanction.

3. So far as the ordinary administration of the departments under their control is concerned, all Ministers have the power, subject to the rules and regulations of the State, to pass such orders as they may consider necessary, provided that:—

- (a) the matter in issue is not one that requires reference to the Council; and
- (b) the matter in issue is not one of sufficient importance, in their opinion, to require the orders of higher authority.

*Note:—*Any matter which for any reason requires the orders of higher authority, or any matter on which the Minister in question is in doubt, should be submitted to the Dewan.

PART II.

The Ministers possess the following special powers, subject to previous countersignature by the Dewan:—

1. MINISTER IN CHARGE OF THE REVENUE DEPARTMENT.

- (a) Power to grant remission of land revenue not exceeding Rs. 100/- in any one village for any one harvest.

- (b) Power to grant suspensions of land revenue not exceeding Rs. 500/- in any one village for any one harvest.
- (c) Power to sanction the lease or the relinquishment of the lease, of any nazool property in the mofussil the rent of which does not exceed Rs. 50/- p. m.
- (d) Power to sanction taccavi advances as in the Taccavi Rules.

2. MINISTER IN CHARGE OF THE JUDICIAL DEPARTMENT.

Powers to remit fines under section 386 of the Code of Criminal Procedure and section 70 of the Indian Penal Code.

Appendix IV.

LIST OF MATTERS REQUIRING DISCUSSION IN COUNCIL,
UNDER RULE 12.

—:—

1. State Budget.
2. Proposals involving expenditure within the budget allotment exceeding Rs. 5,000/-, if non-recurring, and Rs. 1,000/-, if recurring.
3. Proposals involving re-appropriation from one head or sub-head of the budget to another exceeding Rs. 5,000/-.
4. Proposals involving additional expenditure in the revised budget.
5. Proposals involving new legislation, the amendment or repeal of existing legislation, the framing of new rules and regulations or the amendment or repeal of existing rules and regulations.
6. Proposals involving the appointment, dismissal, promotion or transfer of officers drawing more than Rs. 200/- per mensem.
7. Proposals involving the permanent surrender or diminution by sale, gift or otherwise of any important State rights, interests or property (movable or immovable), and the temporary lease of such rights, interests or property for a period exceeding one year.
8. Proposals involving the grant, modification, suspension, or confiscation of Jagirs, Inams and Muafis, (or of any other allowances payable from head "Jagiri"), or the appointment, suspension, punishment or deposition of the heads of State religious institutions.
9. Proposals involving the grant of special pensions or gratuities not admissible under the ordinary rules.
10. Proposals involving the grant, modification, surrender or confiscation of proprietary or permanent occupancy rights in, or of leases for more than seven years of, land exceeding 250 bighas in area or assessed to more than Rs. 250/- land revenue.
11. Important questions concerning the State's relations with other States or the Paramount Power.
12. Proposals involving the despatch or use of the armed forces with the intention or likelihood that dangerous weapons might be used.

13. Appeals or applications for revision against the order of any individual Minister.

14. Any other proposal which under any law or rule for the time being in force requires reference to the Council.

Appendix V.

POWERS OF OFFICERS.



1. Officers are divided into the following classes for the purposes of punishment, transfer and the sanction of expenditure:-

CLASS I.

1. Chief Justice.
2. Accountant General.
3. Chief Medical Officer.
4. Inspector General of Police & Military.
5. Executive Engineer.
6. Superintendent of Customs, Excise, Forests & Shikarkhana
7. Puisne Judge.
8. Revenue Commissioner.
9. Settlement Commissioner.
10. Private Secretary to His Highness (in respect of the departments under his control, other than Privy Purse).

CLASS II.

1. Sessions Judge.
2. Additional Sessions Judge.
3. Secretary, State Council.
4. Dy. Commissioners.
5. Director of Public Instruction.
6. Assistant Revenue Commissioner.
7. Assistant Settlement Commissioner.

2. So far as the personnel of their departments are concerned, and subject to the rules and regulations of the State, the heads of departments shall have authority

(a) to make appointments, but the application must be submitted through the Public Service Committee,

(b) to reduce, dismiss or otherwise punish any individual whose pay does not exceed

Rs. 50	for	Class I,
Rs. 30	for	Class II,

provided that no single fine exceeding one month's pay may be imposed without reference to the Minister in charge of the Department, and

(c) to grant leave admissible under the rules to any individual except to Gazetted Officers.

3. So far as the expenditure of their departments is concerned, and subject to the rules and regulations of the State, the heads of departments shall have power

(a) to sanction expenditure under any sub-head of the departmental budget, except the sub-head 'Establishment', up to

Rs. 250	for	Class I.
Rs. 100	for	Class II,

at any one time, provided that budget provision is available, and

(b) to sanction the re-appropriation of funds from one sub-head of the 'Departmental' budget to another not exceeding

Rs. 100	for	Class I,
Rs. 50	for	Class II,

provided that no re-appropriation may be made from the sub-head 'Establishment' to any other sub-head, or vice versa, without reference to higher authority, and

(c) (i) to sign, without the necessity of countersignature by any other authority, any contingent bill for expenditure of any amount which has been previously sanctioned, or an estimate for which has been previously sanctioned, by competent authority, provided that the amount or the estimate of the amount has not been exceeded; and

(ii) to sign, without the necessity of countersignature by any other authority, any contingent bill for expenditure which has not been previously sanctioned, or an estimate for which has not been previously sanctioned, by competent authority, provided that the amount of the bill does not exceed the amount they are empowered to sanction under (a) above; and

(d) to sign or countersign the T.A. bills of any officers or staff belonging to their departments except their own;

Note:- Special attention is invited to the following:-

(1) Provision in the budget is not to be regarded as equivalent to sanction of expenditure up to the amount provided, except in the case of sub-head 'Establishment'.

(2) It is a breach of rules for any sanctioning authority to split up a charge for any work, supply or service simply for the purpose of bringing its component parts within his own powers of sanction.

(3) So far as the ordinary administration of the departments under their control is concerned and subject to the rules and regulations of the State, heads of departments shall have authority to pass such orders as they may consider necessary, provided that the matter in issue is not one of sufficient importance to require the orders of the Minister in charge.

3. Any Head of a Department may delegate to any Gazetted Officer serving in his department such powers as he may consider necessary, provided that:-

(a) the powers so delegated are less than the powers which he himself possesses, and

(b) all existing powers may continue unless and until they are altered.

4. The following are Gazetted Officers, other than those mentioned in para 1 of this Appendix:-

1. MAHAKMA KHAS.

Superintendent and officers whose pay exceeds Rs. 70/-.

2. FINANCE DEPARTMENT.

1. Assistant Accountant General.
2. Superintendent Audit.

3. PUBLIC WORKS DEPARTMENT.

Supervisor whose pay exceeds Rs. 70/-.

4. MILITARY DEPARTMENT.

All Gazetted Military Officers.

5. POLICE DEPARTMENT.

Superintendents of Police.

6. MEDICAL DEPARTMENT.

Assistant and Sub-Assistant Surgeons whose pay exceeds Rs. 70/-.

7. VETERINARY DEPARTMENT.

Veterinary officer whose pay exceeds Rs. 70/-.

8. CUSTOMS DEPARTMENT.

Assistant Superintendent whose pay exceeds Rs. 70/-.

9. FOREST DEPARTMENT.

Assistant Superintendent whose pay exceeds Rs. 70/-.

10. REVENUE DEPARTMENT.

1. Assistant Settlement Officer.
2. Tehsildars.

11. JUDICIAL DEPARTMENT.

1. Munsiffs of the III Grade and above.
2. Public Prosecutor.
3. Registrar whose pay exceeds Rs. 70/-.
4. Magistrates.

12. EDUCATION DEPARTMENT.

1. Head Master, High School.
2. Head Mistress, Girls School.
3. Graduate Teachers whose pay exceeds Rs. 70/-.

Appendix VI.

CONSTITUTION, POWERS AND PROCEDURE OF THE JUDICIAL COMMITTEE.

1. The Judicial Committee shall ordinarily be composed of 3 members appointed by His Highness.

2. The Judicial Committee shall be the Highest Court of Appeal. In civil cases an appeal shall lie only if the valuation of the suit is Rs. 5,000/- or more, and in other civil suits of a lower valuation an appeal shall only lie if the High Court certifies that the case is a fit one for appeal. The High Court shall only grant such certificate for good reason shown, or if it feels that the case is of sufficient importance otherwise, and an authoritative decision is necessary to set at rest any conflict of views or for any other valid reason.!

The rules that will govern the High Court in granting leave shall apply mutatis mutandis to the Board of Revenue as well.

3. The Judicial Committee shall not be bound by any rules of Procedure.

4. There shall be prepared a paper book (type-written in Roman English) of all the relevant documents that the parties rely on for their appeal, and no document shall be referred to in arguments which is not already type-written as above, and no typed copy of any document shall be taken in at the time of argument which has already not been typed at the proper time. The paper book must be ready at least two months before the case and the parties will supply as many copies thereof as the Clerk of the Court of the Judicial Committee directs.

5. In case the paper book is not ready before the time stipulated and at least two months before the hearing, the party in default, if an appellant, will incur the penalty of his appeal being dismissed for default by the Judicial Committee, and if a respondent he will not be entitled to be heard at all on the date fixed for hearing.

6. The decision of the Judicial Committee shall always be a concurrent Judgment. No member of the Judicial Committee shall be entitled to give a dissentient judgment of his own.

7. In Civil, Criminal and Revenue cases right of Special Leave is also given to litigants who have applied to the High Court or the Board of Revenue and whose application for certifying the matter as a fit case for appeal to the Judicial Committee has been rejected. The Judicial Committee will not ordinarily grant such Special Leave, except if it feels that the grant of such leave is necessary.

8. The period for entertaining applications for Special Leave shall be six months from the rejection of the application for a certificate of fitness to appeal to the Judicial Committee submitted to the High Court or the Board of Revenue.

9: Nothing contained herein shall be deemed to affect in any way or derogate from the inherent power and prerogative of, His Highness of mercy and pardon.

Appendix VII.

POWERS AND CONSTITUTION OF THE HIGH COURT.

The High Court shall consist of not less than two Judges, appointed from (a) retired District & Sessions Judge from British India of 3 years' standing, (b) the District and Sessions Judge of the State by promotion or (c) a Barrister-at-Law or advocate enrolled in any of the High Courts in British India of 10 years' standing, who has paid income-tax on an income exceeding Rs. 3,000/-

COMPOSITION— (1) A Chief Justice (2) a Puisne Judge. The Chief Justice may be a part-time Judge. The Puisne Judge shall, if he is the only whole-time Judge, combine the duties of Legal Remembrancer and Parliamentary Draftsman. He will maintain the Statute Book. If the Chief Justice is the whole-time Judge, he shall perform these duties.

POWERS AND DISTRIBUTION OF BUSINESS— (1) Single bench work will normally be done by the Puisne Judge if he is the only whole-time Judge; (2) when there are two whole-time Judges they will sit as a bench to hear appeals.

A difference of opinion in the High Court of two Judges is provided for (a) in civil cases the opinion of the Judge agreeing with the lower court shall prevail; (b) in criminal cases the opinion of the Chief Justice shall prevail except in appeals against acquittals, when the decision of the lower court shall stand.

In the case of a single bench, civil, criminal and revenue limits are prescribed as below:—

(A) **CIVIL**— (i) Land and Declaratory suits under Rs. 1000/- in value;

(ii) Money and other forms of suits under Rs. 5000/- in value.

Note—These limits will be reduced to half if the appeal is a second appeal.

(B) **CRIMINAL**— Sentences other than death or imprisonment for more than one year or a fine of more than Rs. 1000/-

(C) **REVENUE**— Revenue suits prescribed under the Bundi Revenue and Tenancy Act.

The High Court shall not ordinarily exercise original powers, but in cases of emergency shall have power to

do so by transfer to its file. In this case a special right of appeal shall lie to the Judicial Committee.

For appeals from the High Court which shall lie to the Judicial Committee. — See Appendix VI.

The High Court shall frame rules regulating the enrolment of Advocates and Pleaders.

The High Court shall have a Registrar.

The High Court Judges shall not be members of the Darbar's Executive Council.

Appendix VIII.**BOARD OF REVENUE.**

1. The Board of Revenue shall ordinarily be composed of three members appointed by His Highness.

2. The Board of Revenue shall hear Revenue Appeals in cases in which the right of appeal is given by any law or order for the time being in force.

3. The Board of Revenue shall be the highest Court of Appeal in Revenue matters. It shall only hear appeals from the decisions of the Revenue Minister and the Settlement Commissioner provided that no appeal shall lie to the Board if the order of the Revenue Minister or the Settlement Commissioner is applicable to Civil Court.

4. The procedure and powers of the Board of Revenue will be defined by the Revenue Law in force in the State.

5. Decisions on matters relating to Jagir and Muafi land in which the rights of the Darbar are affected will require the sanction of the Darbar before enforcement.



Appendix IX.

CONSTITUTION, POWERS AND PROCEDURE OF THE CENTRAL ADVISORY COMMITTEE & THE TEHSIL ADVISORY COMMITTEES.

A. CENTRAL ADVISORY COMMITTEE.

1. The Central Advisory Committee will consist of 22 members, exclusive of the Revenue Minister, who will be the Chairman.
2. Each Tehsil Advisory Committee will elect two members to serve on the Central Advisory Committee.
3. Five members will be nominated from amongst the officials of the State and another five from amongst non-officials, to represent interests other than those represented by the elected members.
4. The appointment of all members, elected or nominated, will be subject to the approval of the Darbar.
5. Any member who is convicted of a criminal offence, or who has been adjudged a bankrupt or certified to be insane, or who is absent from three consecutive meetings without satisfactory explanation, or whose continuance as a member for any other reason would not, in the opinion of the Darbar, be in the public interest, shall be liable to be removed from membership of the Committee, and the action of the Darbar in this behalf shall not be open to question in any court of law.
6. The non-official members of the Committee will hold office for 3 years, after which fresh elections will be held, the members vacating being eligible for re-election or re-nomination. The official members will hold office at the pleasure of the Darbar.
7. If any vacancy occurs during the term of office of a member, it will be filled by election or nomination, as the case may be, but the member elected or nominated will continue as such only until the next general election is held.
8. The powers and procedure of the Central Advisory Committee will be governed by the rules, which have been separately published.

B. TEHSIL ADVISORY COMMITTEES.

1. There shall be an Advisory Committee for each Tehsil composed of the existing members, but subject to the following rules:-

- (a) Whenever a vacancy occurs in any Tehsil Advisory Committee, the Committee will, within fifteen days of receiving information of the vacancy, nominate three candidates from among the residents of the Tehsil.
- (b) On receipt of these nominations, the President of the Committee will—
 - (i) fix a date, time and place for holding an election;
 - (ii) inform all the Lambardars of the Tehsil of the particulars given in (i) above;
 - (iii) hold an election in the manner in which elections for Zaildars are held at present, at which each Lambardar will possess a vote;
 - (iv) declare the result of the election; and
 - (v) submit a report of the result to the Revenue Minister on the same day, for approval by the Darbar.

2. It shall be open to any Tehsil Committee to discuss and make recommendations to the Darbar, preferably through the Central Advisory Committee, on any matter of immediate and direct concern to the inhabitants of the Tehsil.

3. It shall be open to the Darbar to place before any Tehsil Committee for their advice any matter of immediate and direct concern to the inhabitants of the Tehsil.

Appendix X.

CONSTITUTION, POWERS AND PROCEDURE OF THE PUBLIC SERVICE COMMITTEE.

1. The Public Service Committee shall ordinarily be composed of three members appointed by His Highness.
2. This Committee will be responsible for the recruitment of State servants. Candidates for appointment will appear before the Committee whose orders will be final.
3. The qualifications for appointments are contained in the abstract Statement of the State staff separately published.
4. Annual examinations for promotion for clerks will be held in August and promotion will be given only to those who pass a set examination as required by the State Rules.
5. No Minister or Head of department is authorised to appoint a State servant without authority of the Public Service Committee.
6. Nothing in these rules applies to the enlistment of constables, sepoys, chaprasis, zakatis, patwaris and non-pensionable State servants.
